

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

July 28, 2004

The meeting was called to order at 4:08 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah.

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Paul Nixon, Jack Matheson, and Terri Mills

ABSENT: Karon Lang and Mario Cisneros

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Kevin Hooper, Steve Lehman, Steve Pastorik, Ron Weibel, and Lori Cannon

WEST VALLEY ADMINISTRATIVE STAFF:

Joseph Moore, CED Director
Nicole Cottle, Asst. City Attorney

AUDIENCE

Approximately ten (10) people were in the audience.

ZONE TEXT CHANGE APPLICATION:

ZT-7-2004

West Valley City

Amendments to Sections 7-6-307, 7-9-115 and 7-14-105

Mr. Joseph Moore presented the application.

Staff is recommending zoning ordinance amendments to Sections 7-6-307, 7-9-115 and 7-14-105. These sections of the zoning ordinance deal with parking restrictions for single-family zones, off-street parking for residential areas, and surfacing for parking areas.

During the study session held on July 21, 2004, staff reviewed with the Planning Commission the proposed amendments. After a lengthy discussion, it was decided that the item should be removed from the upcoming public hearing agenda to allow staff time to make revisions to the proposed language.

There being no discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Nixon moved for a continuance to allow staff and the Planning Commission additional time to discuss issues.

Seconded by Commissioner Mills

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - ZT-7-2004 - continued

ZT-8-2004
West Valley City
5600 West Overlay Zone Amendment

Mr. Joseph Moore presented the application.

This is a proposed amendment to the 5600 West Overlay Zone to add certain automotive related uses to the list of prohibited uses. These restrictions would be between 2455 South and 3100 South, and would not affect any uses north of 2455 South. The specific uses to be added to the use limitation list (Chapter 7-22-406) would be automotive sales or service uses, including automotive parts sales or service, or tire sales or service.

The gateway zone in this area was enacted by the City to enhance the visual environment and to create a distinctive development pattern to add to the image of the City. Automotive related uses south of these already existing types of uses between 2100 South and 2455 South would not be appropriate in achieving these goals. This amendment would have no effect on the existing automotive and truck related uses north of 2455 South or any uses outside the 5600 West Overlay Zone boundaries.

Concerned:
Joe Cunningham
4139 South Colt Court

Discussion: Mr. Joe Cunningham requested the Commission amend the overlay zone to approximately 200 feet instead of 250 feet from 5600 West. He wanted automobile uses to possibly be allowed on the west side of Glenn Eagle Drive. Joseph Moore replied that this amendment should not affect the area west of Glen Eagle Drive. Chairman Woodruff asked if a portion of a lot extended into the overlay zone, would the entire lot be excluded from automobile uses. Ron Weibel assured the overlay zone would only encompass the piece of property that was actually in the overlay zone. Commissioner Nixon believes this application will help improve the City's appearance at that location.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval, with an amendment that the overlay zone extends to the centerline of Glenn Eagle Drive.

Seconded by Commissioner Fuller.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	No
Commissioner Nixon	No
Chairman Woodruff	No

Split vote - ZT-8-2004 – motion does not pass

Discussion: Joseph Moore noted that Glenn Eagle Drive will eventually go all the way north, connecting to 2700 South, then continue to 2100 South, creating a greater overlay zone of approximately 350-feet. Commissioner Matheson wanted assurance that the west side of Glenn Eagle is out of this proposed overlay zone. Joseph was not sure how close Glenn Eagle is to 5600 West. Chairman Woodruff indicated it should not be a large problem, as if a few feet ran into the overlay zone, it would most likely be used as landscaping only. Commissioner Fuller mentioned it may be 300-feet before it includes an actual structure.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval of the amendment as noted in staff's analysis.

Seconded by Commissioner Nixon.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - ZT-8-2004 - approved

SUBDIVISION APPLICATION:

S-22-2004
Horizon Meadows Subdivision
3953 South 4000 West
R-1-8 Zone
4 Lots
1.26 Acres

Mr. Joseph Moore presented the application.

BACKGROUND

Mr. Marc Fletcher, is requesting preliminary and final plat approval for a 4-lot subdivision to be known as Horizon Meadows. The subject property was recently rezoned from the A Zone to the R-1-8 Zone and is located at 3953 South 4000 West.

STAFF/AGENCY COMMENTS:

Building Division:

X Follow recommendations outlined in the soils report.

Granger Hunter Improvement District:

X Project subject to all GHID requirements.

X West Valley City Fire Department shall determine proper fire protection.

Utility Agencies:

X Standard Public Utility Easements required.

Public Works Department:

X Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Approval letters from all water users shall be submitted as it relates to this condition.

- X Dedication and improvements required for 4000 West. Said improvement shall include curb, gutter, sidewalk and asphalt.
- X Revisions to plat required.

ISSUES:

- The proposed subdivision will consist of 4 lots on approximately 1.26 acres. Lots range in size from 8,040 to 13,343 square feet. An existing dwelling presently exists on what will be known as lot 1.
- As part of the applicant's rezone, and in conjunction with the required development agreement, the developer committed to use three different house elevations. In addition, all new houses will have a covered porch and for homes constructed less than 1500 square feet, 100% masonry materials will be used.
- Access to the subdivision will be gained from 4000 West. A private driveway will be used to access lots 3 and 4. Staff will recommend that the driveway be an access easement in favor of all lots. This will help eliminate vehicles from backing onto 4000 West. Owners of the subdivision will need to devise an agreement for shared maintenance of the driveway.
- 4000 West is an 80-foot right of way. The subdivision plat will need to show an additional 7-feet of dedication. The developer will need to coordinate street improvements and potential piping of an irrigation ditch with the City Engineering Division.
- As with all new subdivision development in West Valley City, the potential for ground water problems exist. As part of this application, the developer submitted a soils report. This report indicates that ground water was not encountered. Test pits were extended to a depth of 9.5 to 11 feet. The soils report will be reviewed by the Building Official and City Engineering Division.
- The proposed subdivision will be adjacent to agriculturally zoned properties to the north and south. Although staff is unsure if animals exist on the adjacent property, a note will need to be placed on the plat notifying potential home buyers that this area is adjacent to agriculturally zoned land and may be subject to the every day sounds and odors typically found with such uses. The developer will also be required to fence a small portion of the subdivision with a 6-foot chain link fence. If chain link fencing is already in place and is sufficient for this purpose, staff believes this condition should be waived.

Applicant:

**Marc Fletcher
3953 South 4000 West**

Discussion: Commissioner Matheson asked how maintenance of the private roadway would be handled. Mr. Marc Fletcher replied that four homeowners will use the driveway, as they all have cross easements on that property, and they will be responsible for the maintenance. Commissioner Mills mentioned a small portion of the development would have a six-foot, chainlink fence. She asked where the fence would be located and why. Mr. Fletcher answered it is an existing fence on the south portion of the property. Commissioner Fuller asked if the Fire Department has approved this project, and Steve Lehman assured the Fire Department has approved the road plans.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for approval of the preliminary and final plat for the Horizon Meadows Subdivision, subject to a resolution of staff and agency concerns, and those matters noted in the analysis.

Seconded by Commissioner Fuller.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - S-22-2004 - approved

CONDITIONAL USE APPLICATIONS:

C-22-2004

**Colt Plaza lot 4 – Discount Tire
2999 South Glen Eagles Drive
C-2 Zone – General Commercial**

Mr. Joseph Moore presented the application.

West Valley City's General Plan recommends general commercial land uses.

Introduction:

This conditional use is a request to review the specific business on lot 4 of the Colt Plaza shopping center. The proposal is for a 7853 Sq. Ft. Discount Tire store.

Issues:

- The original overall shopping center layout was approved by the Planning Commission in March 2003. At that time the developer, Joe Cunningham, had a plan showing preliminary layout of roads, building general locations, parking and landscaping concepts. As each individual user is decided upon by the developer then specific site plans are reviewed by the Planning Commission in respect to the overall original approval.
- This pad is located between 5600 West and Glen Eagles Drive. It is located south of the main driveway connecting the development to 5600 West. Traffic circulation is located off of the private driveway. The site also provides internal access to the proposed lot to the south.
- On site parking has been provided. The site has 25 parking spaces and the minimum number based on the building size and use is 25 spaces. Sec 7-9-113 requires interior parking lot landscaping. The 10 interior spaces require landscape islands at each end to define the parking spaces. Alterations will compromise the number of spaces and possibly limit the size of the building.
- Concerns have been raised regarding the location of the Discount Tire driveway and 5600 West. Traffic conflicts could exist due to its close proximity to 5600 West. Our City traffic engineer will be commenting on this drive location.
- Pedestrian access is now evaluated as outlined in the Commercial Design Standards ordinance recently enacted. Staff has suggested site revisions between the back (south) of the Discount Tire store and the proposed retail shops to permit pedestrians access between buildings and to the public sidewalk.
- Landscaping has been designated in compliance to the C-2 zone and landscaping ordinance standards. There is 22.1% of the site designated for landscaping where

a minimum of 15% is required. Landscaping and street sidewalk is shown as per prior agreements and the overlay zone standards.

- The newly adopted Commercial Design Standards addresses the quality and architectural design of new commercial buildings. Our review of the proposed Discount Tire store in light of the new ordinance resulted in a few comments. The main façade which is the east façade facing 5600 West needs some minor changes to provide the needed relief treatments. Staff has suggested changes that include a metal awning similar to the bank/retail proposal along with rock columns at the corners. Other facades need relief variations and could be accomplished through stucco color variations.
- The Planning Commission voiced concerns about outside displays of merchandise. Joe Cunningham has indicated that the tenant's lease prohibits outside display of tires or banners in excess of 48 hours. The Planning Commission may also make this a condition of approval.
- Signage plans have not been submitted. Typical Discount Tire store signage is very tasteful and meets our sign ordinance. A monument style sign is shown on the site plan. This monument sign should be designed with similar materials as the building and comply with the sign ordinance regarding size and location.

Applicant:
Joe Cunningham
4139 S. Colt Plaza

Applicant:
Paul Witherspoon, Discount Tire
6600 South 1100 East

Discussion: Joseph Cunningham explained that he has approximately 40-acres between Wal-Mart and Colt Plaza. He indicated this site would be comprised of a second large box store, such as a movie theater. Mr. Cunningham noted the past developments, including an IHOP restaurant, retail business, bank, credit union and fast food establishments. He said the Discount Tire business would access off of a private road, was part of the main subdivision approval, and will share access with the credit union. Mr. Cunningham informed they are also working on establishing a Chili's Restaurant in this general area. He told the Commission they have not allowed convenience stores to locate in this area, but believe a Discount Tire would be a good use. Joe Cunningham reported that Discount Tire would have a major sale twice per year, and their lease would allow one sale every 48-hours, including signs advertising the sale. He assured new elevations, meeting the new commercial design ordinance, would be available for the Commission to review. Commissioner Fuller asked if the lease could specify the number of sales allowed. Joe Cunningham believes this could be enforced if a condition of use, but said he would need to discuss this with the Discount Tire Store. Chairman Woodruff

discussed the good location this pad has between a credit union and a bank, and suggested an office supply such as a Kinko's business would work better. He believes a tire store would feel out of place, and was concerned that the doors will face the front door of the credit union. Joseph Cunningham reminded that there would be another 40,000 sq. ft. retail space available behind this pad site. He noted Jordan Landing has a Gus Paulos next to its restaurants. Commissioner Matheson explained the overlay zone projects an image as people enter the City, and open garage doors on 5600 West would not be attractive. He summarized if the bays were turned west, away from 5600 West, then the building's back would face 5600 West, and it would still be unattractive. Commissioner Matheson suggested the business be moved further back into the plaza off of 5600 West. Joseph Cunningham said the building faces the private drive, and would not be viewed from the south. He informed the Commission that he lives in West Valley, and is disappointed with the number of fast food establishments on 5600 West. Commissioner Nixon explained that 3500 South is inundated with tire businesses, and the Commission does not want 5600 West to look like 3500 South.

Mr. Paul Witherspoon of Discount Tire assured the business would only work on tires and wheels, with customers there between 30-45 minutes. He believes they will not have the typical issues other dealers may have, as they are a very clean operation, spending much on appearance. Mr. Witherspoon stated the noise level is low, below the City's standards, with muffled noise that would not be as loud as cars driving by. Chairman Woodruff asked if the noise is measured with the bay doors open, and was told yes, they typically work with the bay doors open. Mr. Witherspoon explained they keep the bay doors open during work hours, as the actual repair time runs approximately 15-minutes. Joseph Moore discussed the architectural standards that should be met, including an awning and rock columns to match the center. Commissioner Mills and Matheson questioned the bright red stripe, and was told they do not have red striping any longer, but may have red lettering. Commissioner Nixon asked if the windows would have red frames and was told yes, they would be red. Mr. Witherspoon said if the Commission did not want the red molding, then it could be eliminated. Chairman Woodruff had concerns regarding the tire sales, and asked if it would be a hardship if sales were only allowed four-times per year for 48-hours each. Mr. Witherspoon replied he did not think it would be a hardship. Commissioner Mills perceived this was not the type of business she hoped would be at this pad site. She would prefer shops similar to Jordan Landing, stating this type of business does not seem compatible located between a bank and a credit union. Chairman Woodruff asked if the bay doors needed to be open, even in the winter. Mr. Witherspoon restated the turn-around time for customers in the shop is approximately 15 minutes, so they usually keep the bay doors open. He reminded they are not like Les Schwab, who does many other types of vehicle repair. Commissioner Nixon and Chairman Woodruff did not believe the tire store was appropriate with the surrounding uses.

Commissioner Mills wished the applicant would relocate the business somewhere else in the plaza. Chairman Woodruff listed the other businesses in the area. Commissioner Fuller mentioned the area is a gateway to the City, and although it does not apply with the new ordinance, the thought pattern for the overlay zone is still valid. Commissioner Matheson agreed that as people drive by, it is not a desirable look for a main thoroughfare. Commissioner Fuller stated he would feel better if the bay doors would be closed.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for denial of the conditional use for a retail tire sales and repair facility for the following reasons:

1. This proposal does not comply with the original concepts that were presented and approved with the original Colt Plaza shopping center approval granted by the Planning Commission in 2003; and
2. The original concept plans indicated retail or restaurants and not automobile repair facilities; and
3. The area is saturated by automobile repair facilities, specifically, tire and lube facilities which are important to the community; and
4. The proposed use is not compatible with the shopping center it is located in, nor with the facilities in its immediate vicinity.

Seconded by Commissioner Nixon.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	No
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - C-22-2004 - denied

C-23-2004

**Colt Plaza lot 3 – Washington Mutual Bank/Retail shops
3029 S. Colt Plaza Drive
C-2 Zone – General Commercial**

Mr. Joseph Moore presented the application.

West Valley City's General Plan recommends general commercial land uses.

Introduction:

This conditional use is a request to review the specific business on lot 3 of the Colt Plaza shopping center. The proposal is for a 7000 square foot bank and retail shops.

Issues:

- The original overall shopping center layout was approved by the Planning Commission in March 2003. At that time the developer, Joe Cunningham, had a plan showing preliminary layout of roads, building general locations, parking and landscaping concepts. As each individual user is decided upon by the developer then specific site plans are reviewed by the Planning Commission in respect to the overall original approval.
- This pad is located between 5600 West and Glen Eagles Drive. It is located south of the Discount Tire site and north of the Panda Express drive thru restaurant recently approved. Traffic circulation is located off of the round about for Glen Eagles Drive. The site also provides internal access to the properties on the north and south.
- On site parking has been provided. The site has 27 parking spaces and the minimum number based on the building size and use is 28 spaces. If the Shared Parking provisions of Sec. 7-9-106 are applied there is adequate parking. The applicant should be aware that cross access and parking provisions need to be in place in order to qualify for shared parking. In addition, intense parking uses such as restaurants may be limited due to the parking provided
- Pedestrian access is now evaluated as outlined in the Commercial Design Standards ordinance recently enacted. Staff has suggested site revisions between the retail portion of this project and the side of the Discount Tire store permitting pedestrians access between buildings and to the public sidewalk.

- Landscaping has been designated in compliance to the C-2 zone and landscaping ordinance standards. There is 14.7% of the site designated for landscaping where a minimum of 15% is required. Overall shopping center landscaping will compensate for slight deficiencies on individual pad sites. Landscaping and street sidewalk is shown as per prior agreements and the overlay zone standards.
- The newly adopted Commercial Design Standards addresses the quality and architectural design of new commercial buildings. Our review of the proposed Washington Mutual Bank/Retail shops in light of the new ordinance resulted in a few comments. The main façade is oriented west toward Glen Eagles Drive/Colt Plaza Drive. Due to the design submitted there are only some minor changes to provide the needed relief treatments. In order to accomplish the necessary facade relief variations, color variations in the stucco would be necessary. The architect should be providing revised color material information in order to comply with the new ordinance. .
- Signage plans have not been submitted. A monument style sign is shown on the site plan. This monument sign should be designed with similar materials as the building and comply with the sign ordinance regarding size and location.
- The new Commercial Design ordinance would require one bike rack to be located on this project.

Applicant
Joe Cunningham
4139 S. Colt Plaza

Discussion: Joseph Cunningham gave the overall information regarding the application.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Nixon moved for approval of the conditional use request for a bank/retail shops subject to the following:

1. Site revision that include adding pedestrian walkways and bike rack in compliance with the Commercial Design ordinance.
2. Façade design changes either as identified by staff or other architectural changes meeting the Commercial Design ordinance standards and approved by the Planning Commission at a future study session.

3. Future parking intense uses such as restaurants need to have shared parking evaluations and to comply with the Parking Chapter requirements of the zoning ordinance.
4. Signage to be reviewed by the Planning Commission at a future study session.

Seconded by Commissioner Matheson

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - C-23-2004 - approved

C-24-2004

Thu Huynh

3197 South Redwood Road

Twin Dragon Strip Mall

C-2 Zone

Mr. Joseph Moore presented the application.

Mr. Thu Huynh is requesting a conditional use permit for a 18,376 square foot strip mall on 1.53 acres, located at 3197 South Redwood Rd. This property is zoned C-2 (general commercial), falls within the Jordan River Overlay Zone (JROZ) and is classified as general commercial in the West Valley City General Plan. Surrounding zones include C-2 on the north, west and south and RM to the east. Surrounding uses include a Family Dollar Store (currently under construction) on the north, Utah Barricade to the west, a Beto's restaurant to the south and the 3-story condo portion of Vivante to the east. 2,500 square feet of the building is proposed as a restaurant while the remaining 15,876 square feet is planned for retail space.

Issues

The City's recently adopted Commercial Design Standards Ordinance applies to this application. In staff's opinion, the applicant's architect has done well in meeting the requirements of this ordinance. One exception would be that the cornice at the top of the walls should be increased to 12 inches (Section 7-14-215 (2)).

As mentioned above, the JROZ also applies to this application. One requirement of the JROZ is "Building design shall provide equally attractive sides of high quality, rather than placing all emphasis on the front elevation of the structure and neglecting or downgrading the aesthetic appeal of the side elevations of the structure." During the study session, the Planning Commission suggested that the applicant increase the number of brick columns on the east side of the building to match the spacing used on the south side.

The Planning Commission recently approved a similar strip mall at 1824 West 3500 South. The following condition of approval was attached to this strip mall: "Signage cannot occupy more than 30% of the windows, and there can be no bars on the windows." Staff suggests that this condition of approval be applied to this application as well.

Utilizing the shared parking allowed in the parking ordinance, there are 88 parking spaces required. 89 spaces are proposed. Without including office space in the tenant mix, another restaurant would not be possible due to the limited parking.

The Family Dollar store north of the subject property was required to match the masonry wall used on the Utah Auto Spa car wash. Staff suggests that the same condition apply here.

Applicant:

Brett Carter

6431 South 1940 East

Discussion: Chairman Woodruff asked Mr. Brett Carter if he has reviewed the staff's alternatives. Mr. Carter assured he has. Commissioner Matheson asked about the parking, and if there would be enough for two restaurants. Mr. Carter indicated available parking would depend on how large the restaurant was. Commissioner Nixon asked what type of restaurant was planned, but Mr. Carter did not know at this time. Commissioner Matheson inquired about the bars on the windows. Mr. Carter assured there would not be bars on the windows. Joseph Moore mentioned an additional condition of approval regarding the addition of a parapet wall to screen the noise from the cooling system on the roof. Mr. Carter assured that this issue would be taken care of if a grocery store locates in this retail building.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for approval of the conditional use request for a multi-tenant retail building subject to the following:

1. The applicant must receive approval from all applicable agencies and City departments.
2. Signage cannot occupy more than 30% of the windows, and there can be no bars on the windows.
3. A 6' masonry wall, which matches the existing materials, colors and design of the Utah Auto Spa wall, must be installed along the entire east side of the property.
4. The cornice along the top of the building must be at least 12" in height.
5. The brick columns along the east side of the building must be spaced an average of 30' apart.

Seconded by Commissioner Matheson.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - C-24-2004 - approved

C-26-2004
Hollywood Video
5699 West 6200 South
C-2 Zone .94 Acres

Mr. Joseph Moore presented the application.

The applicant is requesting conditional use approval for a video rental store at 5699 West 6200 South, which is Lot 2 of the Wal-Mart subdivision. The zoning for this property is General Commercial (C-2) and it is bordered on the east, west and south by the Wal-Mart parking lot. To the north across 6200 South is single family zoning in Salt Lake County. The West Valley City General Plan Vision 2020 anticipates general commercial or mixed uses for this property.

The pad sites at the Wal-Mart shopping center received conceptual approval with the Wal-Mart Supercenter in March 2003. Each individual pad site is required to apply for conditional use approval for their specific use. This proposed use is directly to the west of the previously approved Wendy's restaurant.

West Valley City has recently passed a Commercial Design Standards ordinance. The elevation of this building on 6200 South, which would be the primary façade even though it is the back of the building, doesn't meet the requirements of the new ordinance. To comply with the ordinance this façade must have an additional building relief and roof treatment. The applicant has been advised and will bring options to the public hearing for the Planning Commission to consider.

As submitted, the site plan shows an excess of parking stalls for this type of use. Due to restrictions in the deed when Wal-Mart sold the property that precludes cross parking agreements, the applicant wanted to make sure the site had adequate parking stalls for the most intense use the property could accommodate. Therefore staff feels that the excess parking on this site is warranted. The site plan shown to the Planning Commission in the study session showed pedestrian access from the front of the store to an island in the middle of the parking lot. This striped access does not serve any functional purpose in this situation and at the recommendation of the Planning Commission it will be taken out and the island reduced in size to allow the compact parking stalls to be increased to standard stalls.

Applicant:

**Carl Pitt, Amsource
358 South Rio Grande, Suite 200**

Discussion: Mr. Carl Pitt reported he has worked with the Hollywood Video Store next to the Home Depot on 4000 West. He displayed a site plan noting the building will be 5,800 sq. ft., located on the northwest corner of the pad site. Mr. Pitt noted additional parking would be created in the rear for any future use. There will be a pedestrian access from 6200 South, a bike rack, and controlled lighting per the City's requirements. He assured the landscaping plan is in compliance with the City's ordinance, and they coordinate with Wal-Mart's bermed area, which is already landscaped. Mr. Pitt showed

building elevations, explaining materials would be quick brick tying into the Wal-Mart building colors. He discussed signage, noting signs would be placed on three sides of the building within the allowed City requirements, and there will be no neon tubing signs. If needed, they will request any sign changes in the future. Mr. Pitt indicated a monument sign may not be necessary at this time. He informed that hours of operation would be from 10:00 a.m. to midnight, with lights shut-off within ½ hour after the store closes. Mr. Pitt showed four different elevations with various features creating different dimensions to the building. He assured they would be sensitive to nearby residents, and plan to open in November. Mr. Pitt said no parking would be next to street, and the berm will block car lights, as well as building lights. Commissioner Mills asked about the additional 'Game Crazy' business. Mr. Pitt explained that 'Game Crazy' is a department inside the building that sells video games, but this store will not have a Game Crazy located in the store. He stated they do not want to impact other nearby stores, but this could change in the future, and possibly an additional sign will be requested. Chairman Woodruff indicated he preferred the third elevation. Commissioners discussed awnings, and how they tend to age quickly. A metal arch was suggested rather than using an awning. Mr. Pitt assured they would follow the Commission's direction for the architecture.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Nixon moved for approval of the conditional use request for a Hollywood Video retail building subject to the following:

1. Revision of the site plan to eliminate the pedestrian walkway to the middle of the parking lot and reduce the size of the island to allow all parking stalls to be standard size.
2. Revision of the elevations of the north face of the building to comply with the commercial design standards ordinance. These revisions must be approved by the Planning Commission prior to issuing the Final Conditional Use Letter.
3. Compliance with the requirements of all other affected departments and agencies.
4. From the displayed elevations, #3 was chosen to be developed with architectural metal feature.

Seconded by Commissioner Fuller.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - C-26-2004 - approved

C-27-2004

Hunter Animal Hospital

5246 West 3500 South

C-1 Zone – Neighborhood Commercial

Mr. Kevin Hooper presented the application.

West Valley City's General Plan recommends neighborhood oriented commercial land uses.

Introduction:

This conditional use is a request for a small animal hospital and clinic. The 4706 square foot building will be a new facility. The Hunter Animal Hospital currently exists directly to the west. Dr. Mike Van Zomeren is representing the Hunter Animal Hospital veterinarians.

Issues:

- Recently the Doctors were involved in requesting that West Valley City amend the C-1 zone to permit animal hospitals. In addition the eastern portion was rezoned from R-1-8 to C-1 on July 15, 2003.
- Detailed site plans and building plans have been completed. The plan indicates the building in the center of the property with employee parking to the rear (north) and customer parking to the side (west).

- Generally the proposal meets all of the current C-1 standards except that 4 customer-parking stalls need to be shown as landscaping. These parking stalls are designated as #16, 17, 26 and 25. Sec.7-2-114 requires minimum setbacks for parking to be measured from the future right of way line. Since the site fronts on 3500 South, UDOT requires a 106' road width which translates into 53' from the center of 3500 South. The existing ROW is 33' so an additional 20' ROW is required to be dedicated in conformance with the Major Street Plan. The customer parking needs to have at least 5' of landscaping along the west property line. This should be easy to accomplish as the parking stalls are shown at a 20' depth and the parking standards allow for 18' of depth.
- UDOT also needs to evaluate and approve the driveways accessing 3500 South. Typically they have not approved two driveways for commercial developments. The applicants are trying to persuade UDOT that the second drive for employee parking only doesn't have the constant volumes that are associated with customer parking lots. If they are not successful then another access to the employee parking is needed. The drive way would need to be behind (north) of the building. Both parking and driveways need to be located a minimum of 20' from 3500 South.
- A 6-foot high masonry or concrete wall is required adjacent to the residential uses.
- Since these were two residential lots, Sec. 7-2-106 requires lot consolidation prior to issuance of building permits.
- We have reviewed the building design in light of the new Commercial Design Standards ordinance recently approved. This is a very nice building that has a residential character and scale. There are no design suggestions we could recommend to enhance the building design.
- Signage for the proposal has not been identified. The applicants should be aware that a monument sign is the appropriate sign design. A monument sign matching the building in architecture and materials would be encouraged. Signage can be reviewed with the Planning Commission at a future study session.
- The Commercial C-1 zone standards require the trash enclosure to be a masonry enclosure with access gates.

Applicant:

**Michael VanZomeran
5272 West 3500 South**

Discussion: Chairman Woodruff told the applicant that he likes the appearance of the building, but is concerned about the access. Michael VanZomeran explained they have petitioned for two access points from UDOT off of 3500 South. UDOT will allow one single access point, and the applicant may share a future second access on the east side of the property, which is planned for commercial. Commissioner Nixon asked if the project would be put on hold if two accesses were not created. Mr. VanZomeran informed their architect has planned for a single access, which splits into customer and employee parking, but this plan would conflict with the required 20-foot green space in front of the building. He mentioned another alternative to move the building, but that would still create a conflict with the City's green space requirement. Chairman Woodruff suggested approving the application contingent upon UDOT's approval, and then if UDOT does not approve a second access on 3500 South, the application would need to come back to the Commission for approval. Mr. VanZomeran had an issue with the required six-foot masonry or concrete wall, stating it is very expensive for small businesses to build such a fence. Kevin Hooper informed the applicant of the long history of creating barriers between residential and commercial lots to keep vehicle lights from shining into residential homes. He indicated chainlink, wood and vinyl fences deteriorate more quickly than masonry or concrete walls. Mr. VanZomeran stated some walls are gray and cold looking, and he asked how the wall could be softened. Kevin Hooper replied there are a variety of materials such as concrete and panel type wall, with precast walls being more economical. He explained that the Commission does not have the option to waive the wall ordinance, but the wall could possibly be minimized to surround the parking lot area only. Commissioner Matheson asked if the animal hospital had a good relationship with it's neighborhood. Mr. VanZomeran replied that they have received no verbal complaints from neighbors, and a fence was installed next to the condos north of the animal hospital to discourage dogs from urinating on the condo property.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval of the conditional use request for a veterinary hospital subject to the following:

1. UDOT approval. If the site plan is amended, the revised site plan shall be reviewed by the Planning Commission at a study session.

2. Site revisions involving the customer parking lot landscaping.
3. Lot consolidation.
4. A six-foot masonry wall along the residential boundaries to within 20-feet of 3500 South.
5. Masonry trash enclosure.
6. Review of monument sign if requested, at a future Planning Commission study session.

Seconded by Commissioner Fuller

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - C-27-2004 - approved

C-28-2004

Head Start, Community Action Program

6447 West 4100 South

RB Zone 2.1 Acres

Mr. Ron Weibel presented the application.

This is an application to amend a previously approved conditional use for a Head Start Child Development Center. Due to financial constraints of the non-profit organization they had to make some modifications to the site and building. The site is at 6447 West

4100 South and is zoned residential business (RB). The property to the south and west is zoned R-1-8 and to the east is a Seven-Eleven. North across 4100 South is an R-2-8 zone but the area is predominantly single family. The West Valley City General Plan Vision 2020 anticipates office uses for this property. Day care centers and community uses are allowed in an RB zone.

Because this use has prior approval and is a community use, the commercial design standards ordinance does not apply. Due to funding issues the applicants were required to scale back the plans for the building. Although the footprint is the same as the original building, the elevations are not as fancy as the original building. The current building elevations are very plain looking and the applicant's architect has been asked to provide color renderings or some other information that would give the Planning Commission a better sense of what the building will look like when finished.

Fencing will be required on the south and west property lines, and fencing should also be considered along the adjacent Seven-Eleven. In the original application the Planning Commission approved a vinyl fence instead of a concrete or masonry wall. Any fencing should be coordinated with the adjacent neighbors so there are not two fences next to each other that would create a maintenance issue.

Applicant

**Russ Naylor, Architect
1155 East Wilmington Ave.**

Discussion: Ron Weibel reminded the Commission that this application was approved many years ago, but the applicant ran out of funds and could not build the school. He said a new plan has been developed, utilizing the basic plan from years ago, with parking through the middle of the development. Mr. Russ Naylor stated there would be a fenced park and play area, but they are requesting a vinyl fence rather than a concrete fence. He reported they would have five classroom areas, a shared bathroom, storage, and a teacher's offices. Mr. Naylor explained this is not daycare, but extra education to help children starting school, not for babies or toddlers. He thinks the large multi-purpose room could be used for a neighborhood activity area. Mr. Naylor indicated the building would be all masonry with split-faced block and stucco in earthtone colors, and additional window treatments. He informed they wish to start construction very soon.

Commissioner Nixon asked if they receive federal funding, and was told yes, they receive federal donations. He explained customer's household income must be low to join this school. Ron Weibel told the Commission of a telephone call from a concerned citizen. That citizen had issues with the nearby 7-11 to the school, and traffic on 6400 West. Mr. Naylor reminded the facility is designed so that children cannot exit the building without being physically signed in or out, and the outside is completely fenced. Ron Weibel informed the Commission that permission for a vinyl fence was obtained at a past

Planning Commission hearing. He said the two adjacent property owners need to coordinate so that two fences will not face each other, especially to the east of the property. Chairman Woodruff asked if the façade could be increased to 18-inches. Ron assured that change would meet the City's commercial design ordinance. Commissioner Mills wanted to make sure the garden area does not turn into a weed patch. She was glad the outside of the building would not be primary colors.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval of the conditional use request for a multi-tenant retail building subject to the resolution of any issues raised at the public hearing, including building elevations, fencing, and the following:

1. Stucco should be projected 18-inches to allow relief to the building.

Seconded by Commissioner Nixon.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - C-28-2004 - approved

M-5-2004
West Valley City
Letter of Support for City Center RDA

Mr. Steve Pastorik presented the application.

West Valley City's Economic Development staff is requesting a letter of support from the Planning Commission for the City Center Redevelopment Project Area Plan. A draft of the letter is attached to this analysis.

Essentially, the letter states that the Planning Commission has found that the City Center Redevelopment Project Area Plan is consistent with other plans the City has for the area. Staff believes that the proposed City Center RDA Plan will support plans the City has for this location. The City Center District section in the current General Plan lists the following as goals:

- Revitalize the Valley Fair Mall.
- Establish an intermodal center in West Valley that includes light rail, bus, pedestrian, and automotive connections.
- Create an environment conducive to pedestrian, automotive, and transportation activities.
- Unify the City Center District through design guidelines.

The formation of a City Center RDA will facilitate the achievement of the goals above.

Discussion: Commissioner Fuller had concerns regarding high density, proposed apartments, and the City's lack of standards for apartments. He explained that he did not attend the past Planning Commission field trip to the Colosimo project, but understands they were not considered luxury on the inside of the apartments. Commissioner Fuller requested the City create standards for apartments making them more upgraded. Commissioner Mills perceived the RDA plan is very vague and too general. Steve Pastorik explained that State requirements say a letter of approval from the Commission must be signed prior to this RDA being formed. Once it is formed, it will take a while before applications are submitted. He said the City is working on specific plans for the city center, and design standards will be available. Steve reminded more retail must be added, and more amendments made to the transportation plan. He hopes to have design standards on a future agenda within the next two months. Commissioner Nixon asked how many more meetings are required for the transportation group. Steve Pastorik replied he was not sure, as they are looking at projections for the year 2023, and have three different scenarios. Chairman Woodruff inquired if this plan needs to be passed by the tax agencies. Steve answered the City is optimistic it will pass, but they need the letter signed by the Planning Commission to meet the State's requirements. Commissioner Fuller was concerned that West Valley would be willing to accept any type of apartment, and he wants standards to be set. He believes more problems would be caused with non-quality apartments. Steve Pastorik said he is sure he will have design standards prior to any development. Commissioner Nixon expressed concern with the Granite School District. Steve Pastorik reminded the City has very little control over Granite School District.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval to authorize the signing of a letter of support for the City Center Redevelopment Project Area Plan.

Seconded by Commissioner Mills.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Fuller	Yes*
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes*
Chairman Woodruff	Yes

*With concerns

Majority - M-5-2004 - approved

Commissioner Matheson made a motion to reopen application C-27-2004 by the Hunter Animal Hospital. Commissioner Fuller seconded this motion. Nicole Cottle explained that this application could not be reopened without the applicant in attendance and proper notification. It was suggested this application be discussed at a future Study Session.

PLANNING COMMISSION BUSINESS

Approval of minutes from June 9, 2004 (Regular Meeting) **Approved**

Approval of minutes from June 23, 2004 (Regular Meeting) - **Approved**

Approval of minutes from July 7, 2004 (Study Session) - **Approved**

Approval of minutes from July 14, 2004 (Regular Meeting) – **Approved with one change**

There being no further business, the meeting adjourned at 6:40 p.m.

Respectfully submitted,

Lori Cannon, Administrative Assistant